

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Engel and Löffert

Serial No.:

10/669,976

Filed:

September 24, 2003

Entitled:

ENHANCED COAMPLIFICATION OF

**NUCLEIC ACIDS** 

Attorney Docket No.: QGN-038.1US

Anomey Docker No.: QGIV-050.10

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Sir:

Transmitted herewith are: [X] an Information Disclosure Statement (IDS) under 37 CFR §§ 1.56, 1.97 and 1.98; [X] Form PTO-1449 Information Disclosure Statement; [X] photocopies of the disclosed documents, to be filed in the above-identified patent application; and [X] a return receipt post card.

# **PAYMENT OF FEES**

- [ ] A check in the amount of \$\_\_\_\_ (check no. ) in payment of the fee for submission of an information disclosure statement transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §§ 1.16 or 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

David G. O'Brien, Reg. No. 46,125 Leon R. Yankwich, Reg. No. 30,237

Attorneys for Applicants

YANKWICH & ASSOCIATES

201 Broadway

Cambridge, Massachusetts 02139

telephone: (617) 374-3700

telefax: (617) 374-0055

# **CERTIFICATE OF MAILING**

The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Express Mail Label No.: EV 326916132 US

Ok 9,8004

Melanie A. McFadden

Examiner: (not yet assigned)

Art Unit: 1645

# MAR 0 9 2004 SUBJECT OF TRADELINGS

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1645

Examiner: (not yet assigned)

Application of:

Engel and Löffert

Serial No.:

10/669,976

Filed:

September 24, 2003

Entitled:

ENHANCED COAMPLIFICATION

OF NUCLEIC ACIDS

Attorney Docket No.: QGN-038.1US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A modified Form PTO-1449 listing the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents. This Statement is being submitted before the first Office Action on the merits. Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed to be required with this submission.

# **US Patent Documents**

US Patent No. 4,683,195 issued July 28, 1987, Mullis et al.;

US Patent No. 4,683,202 issued July 28, 1987, Mullis;

US Patent No. 4,902,624 issued February 20, 1990, Columbus et al.;

US Patent No. 4,965,188 issued October 23, 1990, Mullis et al.;

US Patent No. 5,106,730 issued April 21, 1992, Van Ness et al.;

US Patent No. 5,173,260 issued December 22, 1992, Zander et al.;

US Patent No. 5,185,243 issued February 9, 1993, Ullman et al.;

US Patent No. 5,194,370 issued March 16, 1993, Berninger et al.;

US Patent No. 5,229,297 issued July 20, 1993, Schnipelsky et al.;

US Patent No. 5,411,876 issued May 2, 1995, Bloch et al.;

US Patent No. 5,705,366 issued January 6, 1998, Backus;

US Patent No. 5,773,258 issued June 30, 1998, Birch et al.; and

# US Patent Documents - Cont'd.

US Patent No. 6,183,998 issued February 6, 2001, Ivanov et al.

# Foreign Published Applications

EP-A-0 402 994 published November 30, 1994, Devaney et al.

## **Other Documents**

Bustin, S.A., J. Mol. Endocrinol., 25, 169-193 (2000);

Chou et al., Nucleic Acids Research 20(7): 1717-1723 (1992); and

Freeman, W.M. et al., Biotechniques, 26, 112-125 (1999).

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application.

Respectfully submitted,

David G. O'Brien, Reg. No. 46,125 Leon R. Yankwich, Reg. No. 30,237

Attorneys for Applicants

YANKWICH & ASSOCIATES

201 Broadway

Cambridge, Massachusetts 02139

telephone: (617) 374 -3700 telefax: (617) 374 -0055

# **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-14520 on the date indicated below.

Express Mail Label No.: EV 326916132 US

March 9, 2004

Melanie A McFadder

Modified FORM PTO-1449	ATTY. DOCKET NO. QGN-038.1US	<b>SERIAL NO.</b> 10/669,976	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT  Engel and Löffert		
(Use several sheets if necessary)	FILING DATE September 24, 2003	GROUP 1645	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	US 4,683,195	07/28/87	Mullis et al.			
	AB	US 4,683,202	07/28/87	Mullis			
	AC	US 4,902,624	02/20/90	Columbus et al.			
	AD	US 4,965,188	10/23/90	Mullis et al.			
	AE	US 5,106,730	04/21/92	Van Ness et al.			
	AF	US 5,173,260	12/22/92	Zander et al.			
3	AG	US 5,185,243	02/09/93	Ullman et al.			
	AH	US 5,194,370	03/16/93	Berninger et al.			
	Al	US 5,229,297	07/20/93	Schnipelsky et			
				al.			
	AJ	US 5,411,876	05/02/95	Bloch et al.			
	AK	US 5,705,366	01/06/98	Backus			
	AL	US 5,773,258	06/30/98	Birch et al.			
	AM	US 6,183,998	02/06/01	Ivanov et al.			

FOREIGN PUBLISHED APPLICATIONS

		T					TRANSLATION	
		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	YES	NO
Г	AN	EP-A-0 402 994	11/30/94	Devaney et al.				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<b>U</b> 1	ILIT DOUGHERT O (moldaning rather, riche, Date), crament ages, Lies,		
AO	Bustin, S.A., J. Mol. Endocrinol., 25, 169-193 (2000)		
AP	Chou et al., Nucleic Acids Research 20(7): 1717-1723 (1992)		
AQ	Freeman, W.M. et al., <i>Biotechniques</i> , 26, 112-125 (1999)		
EXAMINER	DATE CONSIDERED		

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

sheet \_1\_ of \_\_1\_